

February 1, 2006

Honorable Rya W. Zobel
U.S. District Court
District of Massachusetts
1 Courthouse Way, Suite 2300
Boston, MA 02210

Re: James P. Ciesluk v. Town of Bellingham, et al.
U.S. District Court, C.A. No. 04-12689

Dear Judge Zobel:

Please consider this a report on the status of the parties' settlement negotiations, and discussion of summary judgment issues, per the Court's order of December 7, 2005.

Plaintiff reiterated his settlement demand of \$150,000. The defendants are evaluating the demand. Defendants are also awaiting a decision by plaintiff as to whether he will voluntarily dismiss any defendants from this action. In that regard, defendants request that the Court set out a briefing schedule for dispositive motions.

Also, on January 27, 2006, plaintiff filed a Motion to Compel the defendants and the Massachusetts State Police to produce certain State Police Reports relevant to this case. By way of this letter, defendants inform the Court that they do not oppose production of the Reports (provided the State Police have no objection), but wish to clarify that they did not produce the Records in response to plaintiff's request because the Reports state that they are "property of the Massachusetts State Police [and] no part of the report may be distributed outside the agency to which it was provided." As defense counsel informed both plaintiff's counsel and this Court, defendants agree to produce the Reports upon a court order authorizing them to do so.

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Thank you for your attention to this matter.

Very truly yours,

/s/Joseph L. Tehan, Jr.
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JLT/JC/cmt
273124/METG/0605

I, Joseph L. Tehan, Jr., certify that the above document will be served by first-class mail upon any party or counsel of record who is not a registered participant of the Court's ECF system, upon notification by the Court of those individuals who will not be served electronically. /s/Joseph, L. Tehan, Jr.

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